

**REMARKS**

The claims have been amended to specify that the bore is straight: this amendment is supported by Figures 6, 8, and 9. Claim 16 has been placed in independent form. New claims 21-25 are directed to a straight internal bevel and are supported by the first and second paragraphs of page 8. No new matter has been added.

Claims 1-25 are pending. Claims 1-5, 10-13, and 15-20 are amended. Claims 21-25 are new. Claims 8 and 9 are withdrawn without prejudice.

Applicants respectfully traverse the rejection of claims 1-7 and 10-20 under 35 U.S.C. § 102(b) as being anticipated by *Vermed* FR 2,757,405 ("*Vermed*"). As now claimed, the present invention specifies a straight bore, while Figure 2 of *Vermed* illustrates a bent bore.

*Vermed* illustrates a hypodermic needle. The illustrations of relevance are Figures 2 and 3a. The bore of the needle in Figure 2 is bent. There is no suggestion to modify the bent bore to a straight bore. The needle of Figure 3a has a surface that is beveled from an outer surface towards an inner surface in a direction towards the piercing tip. There is no suggestion to modify this beveling.

Claims 1, 10, 11, 15, and those dependent thereon now specify that the hypodermic needle has a straight bore. Furthermore, these claims also specify that the internal beveled surface of the needle is beveled from an outer surface towards an interior surface "in a direction towards the bore and away from the piercing tip."

In Figure 2 of *Vermed* the bore is bent, while in Figure 3a the surface is beveled from an outer surface towards an inner surface in a direction towards the piercing tip. The claimed invention is distinguished from *Vermed* since the claimed bore is straight while *Vermed* is bent, and the claimed beveling is away from the piercing tip, while *Vermed* is towards the piercing tip. Since *Vermed*

provides no suggestion to modify the bend of the bore, nor the direction of beveling, Applicant submits that the present invention is neither anticipated by nor obvious over *Vermed*. Withdrawal of this ground of rejection is respectfully requested.

The rejection of claims 1-7 and 10-20 under 35 U.S.C. §103(a) over Doyle USPN 6,009,933 ("*Doyle*"), and further in view of Gravlee USPN 5,788,679 ("*Gravlee*") is respectfully traversed. *Doyle*, directed to a hypodermic needle having a beveling angle of  $9\pm 1^\circ$ , is incompatible with *Gravlee*, directed to an ultrasonically powered cutting needle having a beveling angle of 15 to  $45^\circ$ .

*Doyle* describes a hypodermic needle having external beveled surfaces that reduce pain during insertion. This hypodermic needle has outwardly beveled exterior surfaces that reduce pain as the hypodermic needle is inserted through the skin and into the body of a patient, see FIG. 5. *Doyle* lacks an interior bevel and has an outer beveling angle of  $9\pm 1^\circ$ . (Col. 4, Lines 41-42).

*Gravlee* describes a needle for cutting and more effectively removing pieces of solid tissue from the interior of the eye. (Col. 2, Lines 39-65). The ultrasonically powered cutting needle has an interior bevel that increases the total cutting area of the cutting edge so a larger "core" of tissue may be cut and removed. (Col. 5, Lines 20-27).

*Doyle* fails to provide any teaching relevant to an internally beveled surface and *Gravlee* fails to provide any teaching relevant to a hypodermic needle. An interior bevel adapted to the more efficient cutting and removal of solid tissue is completely different than a hypodermic needle utilized to remove or infuse fluids from the body; this is in part evidenced by the incompatible bevel angles described by *Doyle* and *Gravlee*. Not only are the purposes for the needles in *Gravlee* and *Doyle* incompatible, the references require incompatible beveling angles of their outer surfaces (15 to  $45^\circ$  for *Gravlee*,  $9\pm 1^\circ$  for *Doyle*), thus teaching away from their combination. Applicants submit that these claims are not obvious over the applied references. Withdrawal of this ground of rejection is respectfully requested.

The rejection of claim 16 and claims dependent thereon is respectfully traversed. The claimed method of making a hypodermic needle is not described nor suggested in any of the cited references. Withdrawal of this ground of rejection is respectfully requested.


Applicant has recently discovered that hypodermic needles having a straight internal beveled surface lack the benefit of reduced hemolysis when the angle of the internal bevel is 75° or greater.

The Applicant believes each of the Examiner's concerns have been addressed to overcome each of the rejections. Upon the indication of allowable subject matter, Applicants respectfully request that the Examiner contact the undersigned to expedite issuance of this case.

Respectfully submitted,

Dated:

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